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MINTZ, LEVIN, COHN, FERRIS, GLOVSKY & POPEO, P.C. 9255 TOWNE CENTER DRIVE SUITE 600 SAN DIEGO, CA 92121			EXAMINER HASSAN, RASHEDUL	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/814,835

Applicant(s)

FORSTMANN ET AL.

Examiner

Rashedul Hassan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 July 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 4-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 4-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

This communication is responsive to the amendment filed on 07/20/2007.

Applicant has amended claims 1, 4, 14 and 18.

Applicant has cancelled claims 2-3.

Claims 1, 4-20 are currently pending in this application.

Claim Objections

Claims 1, and 14 are objected to because of the following informalities:

Claims 1 and 14 recite the limitation "the at least one input field" in line 8 and 10 respectively. There is insufficient antecedent basis for this limitation in the claims.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1,6,8-12, 14 and 18-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Clark et al. (WO 01/88703 A1) hereinafter Clark.

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For claims 1, 14 and 18, Clark teaches a system for generating a graphical user interface on a display device for aiding a user in using features of a software application, wherein the system performs the method comprising:

receiving from a user a selection of a layout (see Fig. 28, selection of a template wherein the template is inherently based on a layout) to be used in generating an informational display for presenting results of a data repository query (the generated report comprises results of a data repository query as evidenced by Fig. 23 and 27. Also see page 18 line 34 – page 19 line 12), wherein the user selects the layout by selecting an existing informational display (see Fig. 28, selection of a template wherein the template is inherently based on a layout) on which the informational display is to be based;

extracting (e.g., reading), using a filter (a software component necessarily required for reading/extracting the template information), at least one user-changeable code portion from the existing informational display (modification of certain portions of the template to incorporate the current report data to be displayed inherently involves reading/extracting at least one user-changeable code portion from the template), wherein the at least one input field is bound to the extracted code portion (input fields provided by the interface screens for the report wizard are used to specify data to modify the extracted code portions of the template file, thereby provide the binding).

displaying to the user the at least one input field (input field labeled as "Enter Title" in Fig. 28) and an image of a sample informational display that is based on the

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selected layout (Report preview in Fig. 28), the at least one input field being displayed in association with at least one feature shown in the displayed sample image; and

receiving via the at least one input field user input to be used in modifying the at least one feature in the informational display (It is clearly understood by a person of ordinary skill in the art that once a user inputs the title in the input field labeled "Enter Title", the user input is used to modify the title of the generated report).

For claim 6, Clark further teaches that the at least one input field and the displayed sample image are part of a guided process comprising multiple input fields and displayed sample images (see Fig. 22-28).

For claim 8, Clark teaches that at least two of the multiple displayed sample images ("Report preview" as shown in Fig. 28) correspond to different configurations of the informational display (since the preview sample image naturally changes based on different configuration, for example, selection of different templates).

For claims 9 and 19, Clark further teaches that the user input is at least one selected from the group consisting of: selection of a title for the informational display (input field labeled as "Enter Title" in Fig. 28), selection of the data repository query to be provided in the informational display (Fig. 27), selection of at least one filter value for filtering the results of the data repository query, and combinations thereof.

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For claim 10, Clark further teaches that the at least one input field is a drop-down list box with multiple user-selectable inputs (Fig. 26 showing a drop-down list box showing the selectable input "Sum").

For claims 11 and 20, Clark further teaches that displaying the input field in association with the feature comprises displaying the input field on top of the displayed sample image in close proximity to the feature (Fig. 28 shows the input field labeled "Enter Title" as displayed on top of the sample preview image and in close proximity to the "Title" feature).

For claim 12, Clark further teaches binding the at least one input field to a code portion in the informational display such that the user input can be used in modifying the at least one feature in the informational display (the input field for entering title in Fig. 28 is bound to the code portion in the report display since the change made to the title using the input field modifies the title in the displayed report).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 4,5,13,15 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Clark.

For claim 4, Clark does not explicitly teach placing the extracted code portion in an XML file that is to be modified using the user input, and subsequently using the XML file in creating the new informational display (report). However, Clark explicitly teaches creating/editing XML documents for storing new or modified input screens (see page 25 line 12 – page 26 line 11). Also Clark briefly mentions using XML for storing existing reports when discussing about importing and editing an existing report using a guided process (see page 18 lines 25-33). Therefore, Clark suggests or at least makes it obvious to a person of ordinary skill in the art to place the extracted code portion in an XML file (since all reports are placed in XML documents according to his teachings) for editing by the user and subsequently using the XML file in creating the new

informational display. The motivation for using XML would have been to take advantage of XML's strict syntax and parsing requirements that makes parsing algorithms extremely simple, efficient and consistent, as well as to take advantage of its hierarchical structure and platform-independence which is well known in the art.

For claim 5, Clark further teaches creating the informational display comprises adding non user-changeable code portions to the XML file because Clark discloses that only data content such as fields, captions, calculations, grouping, heading, footers, etc. are changed by user (block 200 in Fig. 22 and page 19 lines 8-12). The layout and style as chosen using a template remains unchanged by the user. Since it has already been pointed out in the rejection of claim 4 as to why it would have been obvious to use an XML file to create the informational display, it follows that these non user-changeable code portions also obviously need to be added in the XML file to be used for creating the informational display.

For claims 13 and 17, it has already been pointed out in the rejection of claim 2 that Clark teaches binding the at least one input field to the code portion of the informational display. But, Clark does not teach that the binding comprises using an XPATH statement. However, it was a well known technique in the art at the time of the invention to use XPATH statements for binding input fields to XML documents and since W3C (World Wide Web Consortium) released XPATH as a recommendation for a path language to specify a certain part of an XML document, it would have been obvious to a

person of ordinary skill in the art to use XPATH as the mechanism for implementing the binding. Clark also does not explicitly teach using the XPATH statement comprises generating a new node in the informational display if the new node is specified by the XPATH statement and does not yet exist in the informational display. This basically means adding additional features in the informational display that are not provided in the selected template but the user wishes to add. It would have been obvious to a person of ordinary skill in the art to modify Clark's teaching to provide this functionality in order to enhance flexibility in formatting the informational display.

For claim 15, Clark teaches a system for generating a graphical user interface on a display device for aiding a user in using features of a software application, wherein the system performs the method comprising:

receiving from a user a selection of a template file (see Fig. 28, selection of a template) to be used in creating a new informational display for presenting results of a data repository query (the generated report comprises results of a data repository query as evidenced by Fig. 23 and 27. Also see column 10 lines 55-67), the template file being based on a layout (the template is inherently based on a layout);

extracting at least one user-changeable code portion from the template file according to the layout and placing the code portion in an XML file (see rejection of claim 4 above);

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performing a guided process for modifying the XML file (it has already been pointed out in the rejection of claim 6 that Clark uses a guided process for creating the informational display and it has also been pointed out in the rejection of claim 4 why it would have been obvious to use an XML file for creating the informational display), the guided process involving displaying to the user at least one input field and an image of a sample informational display that is based on the layout (Fig. 28 , also see the rejection for claim 1), the at least one input field being displayed on top of the displayed image in close proximity to a feature shown in the displayed sample image (see the rejection of claim 11); receiving user input via the at least one input field (implied in Fig. 23-28); modifying the XML file using the user input (obvious as discussed in the rejection for claim 4); and creating the new informational display using the XML file (also obvious as discussed in the rejection for claim 4).

Claims 7 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Clark in view of Iremonger et al. (US 7,000,182 B1) hereinafter Iremonger.

For claims 7 and 16, Clark does not explicitly teach that the guided process is selected from a plurality of guided processes based on the selected layout. However, Iremonger also teaches an assistant program and corresponding method for creation of layouts/reports for presenting results of a data repository query wherein he teaches that

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the guided process is selected from a plurality of guided processes based on the selected layout. For example, it is clearly understood by a person of ordinary skill in the art from considering the layout options presented on Fig. 9 that the guided process selected and interface screens presented to the user will differ based on whether the user chooses the layout as a "Columnar List/Report" or as a "Report with grouped data". In the event of user selecting the former layout, obviously the guided process will not display the dialog box for organizing records by category as shown in Fig. 12. However this dialog box will be displayed as part of the guided process when the user chooses the other layout option (see also column 8, lines 56-61). Therefore, it would have been obvious for a person of ordinary skill in the art to combine the teaching of Iremonger with that of Clark in order to arrive at the present invention. The motivation for such combination would have been to ensure providing relevant guidance to the user necessitated by different layout selection by the user.

Response to Arguments

The examiner acknowledges and appreciates applicant's amendments to the claims filed on 07/20/2007.

Rejections of claims 14, and 18-20 under 35 U.S.C 101 as being directed to non-statutory subject matter, made in the Office Action of 05/02/2007, are hereby withdrawn in consideration of applicant's amendments.

Applicant's arguments filed on 07/20/2007 have been fully considered but they are not persuasive.

Applicant has argued that Clark is completely silent with respect to the "extracting" feature recited in the independent claims 1, 14, 15 and 18, and that there is no indication in Clark that a "filter" is used to perform the extracting feature in Clark (see page 9 in Applicant's Remarks).

Clark's invention, according to one embodiment and stated simply, teaches selecting an existing template by a user and generating a report based on the template. In order to use the existing template for generating a report, his invention necessarily requires reading at least one user changeable code portion from the template so that the report can be produced based on the template. The "reading" functionality translates to the claimed "extracting" feature. Therefore, the "extracting" feature is inherent in the reference.

As for the "filter", the instant disclosure referring to Fig. 2 states,

"The selected template 210 is passed, as indicated by arrow 215, to an input filter 220, which may be implemented as executable code. The input filter 220 is configured to recognize the layout 110 on which the template 210 is based, and extract user changeable code portions for that layout. (see page 5)

Therefore, a "filter" as disclosed is basically a software component used for reading the template. Clark necessarily uses some software component for reading the template information. Thus, use of a filter for performing the extracting feature is also inherent in the reference.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rashedul Hassan whose telephone number is 571-272-9481. The examiner can normally be reached on M-F 7:30AM - 4PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For

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more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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